

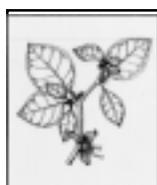


A BULLETIN
FROM
TIFAC

INTELLECTUAL PROPERTY RIGHTS (IPR)

VOL 6 NO. 12 DECEMBER, 2000

Patents related to Ashwagandha (Withania somnifera)



Ashwagandha, a well known plant in India and used for therapeutic purposes for many centuries is next in the series of PFC's efforts in bringing herbs related patents to the knowledge stock of its readers.

Fruits, leaves and seeds of the plant have been used for ages and the plant has been used in Ayurveda for many years. The root has been used most frequently for therapeutic uses. It is adaptogenic, aphrodisiac, diuretic; it helps in restoring loss of memory, used in cases of nervous exhaustion and senile debility (The Treatise on Indian Medicinal Plants). The pharmacological activity of the roots is attributed to the presence of several alkaloids (Wealth of India). This plant is known all over the country by many different names like Ashwagandha in Sanskrit, Hindi and Bengali, Askandha tilli in Marathi, Ghodakun, Ghoda in Gujarati, Pulivendram in Telgu, Achuvagandhi in Tamil, Viremadd-linagadde in Kannad and Asgand in Punjabi.

There are not many patents granted or in the pipeline related to Ashwagandha. Patent applications pending grant are shown below:-

Title	Applicant	Patent Office where filed.
1. Preparation of an antidiabetic herbal drug from the plants Trichopuszeylanics withania somnifera and piper longum.	Tropical Botanic Garden & Research Institute	India, 1996
2. A process for preparation of "JEEVANI" a novel	Tropical Botanic	India, 1996

immunoenhancing antifatigue antistress and hepatoprotective herbal drug from the plants Trichopus zeylanicus ssp, Travancoricus withania somnifera piper longum and Evolvulus alsinoides.	Garden & Research Institute	
3. A process for preparation of 'JEEVANI' a novel immunoenhancing antifatigue antistress and hepatoprotective herbal drug from the plants Trichopus zeylanicus ssp, Travancoricus withania somnifera, Piper longum and Evolvulus alsinoides.	Tropical Botanic Garden & Research Institute	India, 1996
4. A process for preparation of an antidiabetic drug from the plants Trichopus zeylanicus withania somnifera and Piper longum.	Tropical Botanic Garden & Research Institute	India, 1996
5. Compositions for recovering hypofertility	Nippon Shinyaku Co., Ltd.,	PCT application, 2000
6. External preparation for skin whitening.	Umishio, Kenichi	PCT application, 2000
7. Trichogen .	Pola Chem Ind Inc.	Japan, 2000
8. Skin cosmetic.	Pola Chem Ind Inc	Japan, 2000

The Japanese applications are related to the use of Ashwagandha as skin ointment for the cosmetic purpose. Both inventions use water soluble organic solvent or water containing water soluble organic solvent for obtaining the extracts of the plant. Both the applications do reveal that the plant is found in India, Africa and Mediterranean.

The PCT application which originated in Japan deals with a food composition containing Ashwagandha for promoting recovery from

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hypofertility induced by endocrine disrupters so as to eliminate, even a little the internal pollution caused by the endocrine disrupters.

In the list of patents accepted or granted there are twelve patents; a list is given below:

Title	Applicant	Patent Office	Date of publication/ issue.
1. A process for the extraction of a fraction mainly containing weakly acidic polysaccharides possessing high adaptogenic activity from the plant <i>W.Somnifera</i> .	Council of Scientific & Industrial Research	India	2/14/98 4/24/99
2. A process for the isolation of polysaccharides having immunomodulation activity from the plant <i>Withania somnifera</i> .	Council of Scientific & Industrial Research	India	
3. A process for the isolation of peptides having mol mass in the range of 110 to 1200 daltons from the plant <i>Withania somnifera</i> .	Council of Scientific & Industrial Research	India	11/6/99
4. An improved process for the manufacture of an extract obtained from ayurvedic medical plant such as <i>Ashwagandha</i>	Ms. J. B Chemicals & Pharmaceuticals Ltd.,	India	1/18/97
5. A method of preparing <i>Ashwagandha</i> ayurvedic milk chocolate	Girivas Viswanath Shet	India	23/4/1990
6. <i>Withania somnifera</i> composition	Natreon Inc.; Indian Herbs Research & Supply Company Ltd.,	USA	28/11/2000
7. Formulation for alleviating symptoms associated with arthritis	New England Deaconess Hospital	USA	4/11/1997
8. Method of treating musculoskeletal disease and a novel composition therefor.	Patwardhan; Bhushan	USA	27/2/1996
9. Use of piperine as a bioavailability enhancer	Sabinsa Corporation	USA	26/10/99
10. Natural Composition for treating bone or joint inflammation	Weisman; Bernard	USA	30/3/1999
11. Use of piperine as a bioavailability enhancer	Sabinsa Corporation	USA	28/4/1998
12. Use of piperine to increase the bioavailability of nutritional compounds	Sabinsa Corporation	USA	16/7/1996

It may be seen that these patents have been accepted / issued by the Indian Patent Office and the US Patent Office. It may further be noted that in all the patents *Ashwagandha* appears in claims. *However, Ashwagandha per se has not been claimed in any of the patents.* In addition, there are 7 other patents issued by USPTO in which *Ashwagandha* has been referred to in these patent documents but not in the claims.

According to the patent granted to Natreon Inc and Indian Herbs Research and Supply Company Limited, a *Withania somnifera* extract composition, has been prepared in the form of stable, herbaceous powder, which produces a cognition effect and learning facility for user, when taken in a dosage of about 200-800 mg/day, which comprises, by weight (a) at least 3% of withanolide glycosides, (b) at least 3% of oligosaccharides, and (c) less than 0.5% of free withaferin A (aglycone), wherein the weight ratio of (a) : (c) is 75- 95:25-5, and the weight ratio of (a) : (b) is 40-60:60-40. A process of making the extract composition has also been described.

It is obvious that the patent has been granted to an extract obtained from the *Ashwagandha* plant. The present formulation has been claimed to be new and improved extract powder composition from selected *Ashwagandha* plants with only little free citotoxin withaferin-A. It also describes a process for obtaining such plants composition by extracting selected plants immediately after harvesting, thereby preventing hydrolysis of the withanolide glycosides/ sitondocides. The plant for the invention was taken from steep rocks in the Himalayan mountains. The novelty of the invention lies in obtaining specified chemicals in specific quantities through the process described in the patent.

The patent on "Formulation for alleviating symptoms associated with arthritis" is for a herbal formulation and its use for reducing/alleviating symptoms of rheumatoid arthritis, osteoarthritis and reactive arthritis. The formulation contains an extract obtained from the roots of *alpinea*, *smilax*,

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tinospora, tribulur, ashwagandha and zingber. The formulations could be in the forms of powder, capsule, tables, liquid caplet and external. Sabinsa Corporation of USA appears to be active in this area and have used Ashwagandha in the role of bioenhancer as well.

The patents filed by CSIR and which have been accepted by the Indian Patent Office relate to processes for isolating peptides and polysaccharides from the Ashwagandha plant. The details of the patents may be obtained from the Delhi Branch of the Patent Office.

One thing which is very obvious from the above study is that Ashwagandha plant is catching attention of scientists. More and more patents related to Ashwagandha are being filed in/ granted by different patent offices of the world since 1996. Other noteworthy aspect of the patents granted in US is that in most patents the inventors are either Indians or people of Indian origin. In some cases, resident Indians and NRIs have also collaborated in inventing new formulations and methods of treatment with Ashwagandha as one of the constituents. The other important thing to note is how innovative ideas and methods could lead to new and improved uses of a plant which has been known to the mankind for centuries.

Case Study

This case study deals with an invention relating to commercial vehicle suspensions and more particularly, to a dual-stage tapered leaf spring for use in a tractor-trailer suspension assembly. This was granted by the Indian Patent Office to M/s Winmac Spring Company Inc in July 1996.

In general, most trailers, (such as specialty carriers, tankers, dry freight haulers, etc.) are equipped with single stage multi leaf springs. This system as such, is not designed to differentiate between "loaded" and "unloaded" trailer operations and thus normally provide a firm or "stiff" ride during loaded operation causing excessive suspension vibration and reduced wheel control during "unloaded" condition.

Conventionally, trailer suspensions equipped with dual-stage leaf springs have been found to have abrupt ride quality. Secondly, dual-stage leaf springs have not been used in the heavy-duty trailer industry.

The Invention

It is a primary object of the present invention to provide a lightweight dual-stage tapered leaf spring assembly for use in heavy-duty trailer suspension applications. More particularly, the present invention is directed to an improved dual-leaf tapered leaf spring assembly having a main or first tapered leaf defining a first stage rate and a second tapered leaf operable to

define a second stage rate. The first and second leaves are formed to include a tapered thickness profile which closely approximates a true modified parabolic taper.

Upon installation into the trailer suspension system, the remote ends of the main leaf operably engage hanger cams suspended from the trailer frame. The second leaf is operably mounted below the main leaf and is adapted to move between position of non-engagement and engagement with the main leaf in response to deflection of the leaf spring assembly. The "approximated" modified parabolic profiles for each of the main and second leaves are adapted to provide a smooth non-linear transition between the first and second stage rates (i.e. between "curb" and "design" loads) as compared to the excessively abrupt linear transition associated with conventional dual-stage multi-leaf springs. More specifically, the smooth non-linear rate transition is generally parabolic and includes first and second arcuate transition regions. The first arcuate transition region is relatively large and occurs upon the cranked ends of the second tapered leaf engaging and rolling in on the main leaf upon continued axle displacement for effectively shortening the second leaf moment arm. The second arcuate transition region occurs upon continued leaf spring deflection in response to the main leaf rolling in on the hanger cams for effectively shortening the main

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A Case Study...

leaf moment arm. The first and second arcuate regions of the transition curve are interconnected by a fairly linear load deflection region which occurs following second leaf engagement and prior to the shortening of the main leaf. As such, the cumulative effect of the improved tapered profiles and unique two-stage camming action is to provide a smooth non-linear rate transition between the lower first stage rate and the higher second stage rate so as to define a variable rate leaf spring assembly.

In a related object, the main tapered leaf of the dual-stage dual-leaf spring of the present invention is designed to have a higher working (i.e bending) stress level than the second tapered leaf. In addition, the working stresses for each of the tapered leaves are uniformly distributed over their entire length due to the "approximated" modified parabolic tapered thickness profile of each of the leaves. As such, the service life and ride characteristics associated with the lightweight high-stress tapered leaf spring assembly of the present invention are superior to conventional non-tapered and linearly tapered multi-leaf springs while causing uniform stress distribution in a manner here to before only associated with true parabolical tapered profile. Furthermore, the present invention is material efficient and designed to maintain sufficient interleaf clearance for permitting smooth second leaf to main leaf engagement without causing excessive interleaf contact or friction upon the full range of axle deflection. Elimination of interleaf friction lends itself to substantially lower frictional losses whereby the available potential energy (i.e damping) is substantially increased.

According to a preferred embodiment, the tapered thickness profile for each the first and second leaves incorporates a series of successive linearly tapered increments which approximate a true modified parabolic taper profile. More particularly, the successive linearly tapered increments define a plurality of sequential transition points which each define a different amount of thickness taper per unit of length measure for effectively minimizing the mass

of material used while concurrently achieving uniform stress levels. As such, the "approximated" modified parabolic taper effectively replicates a true parabolic tapered spring in configuration and function so as to provide maximized spring efficiency at a realistic production cost.

It is a further object of the present invention to provide a dual-stage dual-leaf tapered leaf spring that can be operatively installed in virtually any single, tandem or multi-axle commercial trailer as an original equipment suspension component or a retrofit replacement.

Figures 1, 2 & 3 depict front and rear pairs of dual leaf tapered spring assemblies, partially broken away side view of the tandem axle suspension and view of the rear dual stage dual leaf spring assembly respectively.

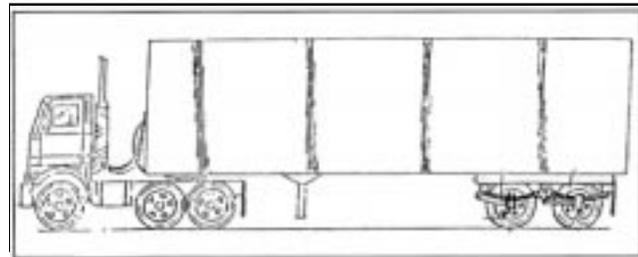


Fig. 1

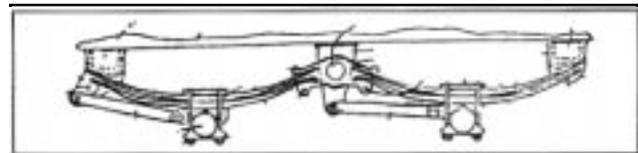


Fig. 2

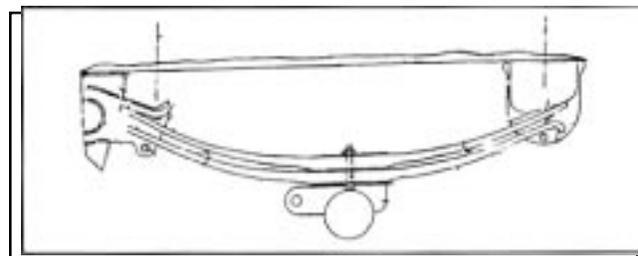


Fig. 3

Claims

The patent has 14 claims in all; the first one is reproduced below :-

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A Case Study...

A suspension system for a trailer having axle means and trailer frame having first and second hanger means mounted on each side of said trailer frame, and leaf spring means operably coupled to said axle means and disposed between said first and second hanger means for damping the relative movement between said axle means and said trailer frame characterized in that said leaf spring means comprises:

A first leaf member having its upper end surfaces in sliding contact with cam surface means provided on said first and second hanger means, said first leaf member having a first tapered thickness profile; and

A second leaf member disposed below and coupled to said first leaf member such that its upper end surfaces are adapted to move between position of disengagement and engagement with lower end surfaces of said first leaf member in response to deflection of said leaf spring means, said second leaf member having a second tapered thickness profile;

Wherein each of said first and second tapered thickness profiles include a series of successive linearly tapered increments which each define a different amount of thickness taper per unit of length measurement, said linearly tapered increments configured to track a modified parabolic taper profile.

Patenting in Textiles

Readers may recall that PFC had published a 4 year (1995-1998) analysis on patenting in textiles in India in the IPR Bulletin, Vol 6 No. 1-2, Jan-Feb, 2000. This issue presents an update on applications filed in the area of textiles for the year 1999. The data for the analysis has been taken from the Ekaswa database of PFC. A total of 147 applications have been filed during the period which include needles, bobbins, biodegradable mineral wool, webs, knitting machines, spinning rings, looms, carding machines and others. During the last 5 years, 1083 applications have been filed in this area. The year wise breakup of the applications for the period 1995-1999 is given in Table I.

Table I

Year	No. of Applications
1995	222
1996	237
1997	279
1998	198
1999	147

Patent applications have been filed for textiles in all the 4 Patent Office branches and the break up follows in Table II below:

Table II

Patent Office Branch	No. of Applications
Chennai	48
Delhi	27
Kolkota	48
Mumbai	18

The highlights of the analysis for the one-year period, are given below in Table III.

Table III

Total applications filed	147
No of convention applications	93
No. of PCT applications entering national phase in India	6
No. of applications filed by Indian companies/individuals	46
No. of applications filed by Indian companies/individuals	14
Foreign companies filing 2 or more applications	18
Indian companies filing 2 or more applications	7

The total number of applications filed has been decreasing since 1997, from 279 in 1997, 198 in 1998 to 147 in 1999. Of the total applications filed 63% are convention applications. The major players filing convention applications are Germany (48), Japan (9), USA (5), Switzerland (5) and Italy (5). 6 applications are PCT applications, which have now entered the National Phase in India.

Filing by Indian Individuals and Companies

The Indians have a share of 36% in the total 147 applications filed during the period. 14 applications out of 46 were filed by Indian individuals, which is a good development. Table IV lists the Indian companies filing applications during this period.

Lakshmi machine Works Ltd like in the past is at the top. It has most of the applications related to spinning machines, ring and traveller assembly for ring spinning, surface coated ring for ring and twisting machines,

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Patent in Textile....

Table IV

Company	No. of Applications
Lakshmi Machine Works Ltd	7
Council of Scientific & Industrial Research	4
Premier Polytronics Ltd	3
Ahmedabad Textile Industry's Research Association (ATIRA)	2
Hindustan Lever Ltd	2
Garware Wall Ropes Ltd	2
Pailung Machinery Mill Co Ltd	2
Central Silk Technological Research Institute and Central Silk Board	1
Hindustan Gum & Chemicals Ltd, Haryana	1
Vardhaman SPG & Gen Mills Ltd	1
Indian Card Clothing Ltd	1
Central Sericultural Research & Training Institute	1
Shree Anjar Ginning & Pressing Co Pvt Ltd	1
J K Agri Genetics	1
Daffodils-Investments Pvt Ltd	1

device for ring centering and spinning apparatus for producing yarn. CSIR has filed applications for textile fibre testing, production of coated threads, stitching machine useful for manufacture of mats and mattresses and process for preparation of water repellent chemical useful for making water proof cellulose based textile materials. Premier Polytronics Ltd has 3 applications related to on-line yarn thickness measurement. ATIRA has one application for cotton contamination analyses and the second for yarn processing. The

other companies and research organizations have filed applications for rope articles, process for printing polyester fabrics making use of tamarind kernel powders, treatment of textile fabrics, tensor for yarn twisting machine, computer controlled needle selection for circular knitting machine, autofeeder for cotton roller gin, booster for carding machine and constant tension ring.

Individuals have filed applications for yarn manufacture process, silk manufacture, carding technology, linseed fibre scutching machines and silk dyeing with reactive dyes.

Filings by Foreigners and Foreign Companies

Foreigners have filed a total of 93 applications. Foreign companies filing 2 or more than 2 applications are listed in Table V.

Table V

Company	No. of Applications
Maschinenfabrik Rieter AG	14
W. Schlafhorst AG & Co	10
Kabushiki Kaisha Toyoda Jidoshokki Seisakusho	5
Isover Saint-Gobain	5
E I Du Pont De Nemours & Co	4
Memminger IRO GMBH	3
Inventio AG	3
Texparts GMBH	3
Mesdan SPA	2
Zinser Textilmaschinen GMBH	2
Corning Inc	2
Dystar Textilfabren GMBH & Co	2

Heberlin Fibertechnology Inc	2
Inventa-Fischer AG	2
Sucker-Muller-Hacoba GMBH & Co	2
Savio Macchine Tessili SPA	2
Scharer Schweiter Mettler AG	2
Schmale-Holding GMBH & Co	2

Maschinenfabrik Rieter AG was at the top earlier also. Out of the 14 applications by this company 7 relate to spinning frame. Others relate to ring spinning frame with suction device, device for operating yarn, guiding part and drafting arrangement for spinning machine. The applications of W. Schlafhorst Ag & Co are for process and device for covering a spun yarn package, controlling the bank creel of a textile machine, centrifugal spinning and winding machine, method for detecting yarn residues on spinning cop tubes, device for initiating rewinding and winding head for automatic cross-wound bobbin winding machine. Kabushiki Kaisha's 5 applications relate to feeding apparatus for spinning machine, spindle driving apparatus for spinning machine and method for forming cop for spinning machine. Isover Saint Gobain has filed 5 PCT applications in France designating India. These applications have now come in the National Phase. The applications relate to mineral wool composition, biodegradable mineral wool composition, method and device for drawing out

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Patent in Textile....

mineral wool fibres by free centrifuging and method for determining the orientation of fibre structure in a mineral wool mat. Applications by others include yarn treatment, yarn finishing, manufacture of polyester fibres, yarn tension sensor, yarn feeder, device for loading spools, drafting device for spinning machine, shuttle for weaving loom, device for measuring properties of textile product, method producing condensed yarn and others.

Major Areas

Major areas in which most of the applications have been filed are given in Table VI. The number of applications given in each area may be over lapping in some cases.

Table VI

Subject	No. of Applications
Spinning (machines, devices, rings, frames)	43
Yarn manufacture	30
Guiding units (yarn winding, feeding, take-up devices)	12
Spindle	12
Bobbins	6
Wool	5
Rope	5
Webs	4
Carding Machines	4
Weaving looms	4
Needles	3
Silvers	2

It may be noted that new entrants both from India and foreign countries have filed single applications during this period.

Case Law



A domain name dispute involving Maruti-Suzuki

The domain names registered with the registrars of domain names, when infringe upon well known trade marks or trade names, can result into serious litigation. PFC presents one such case law.

Parties Involved

The suit was fought between Maruti Udyog Ltd (Complainant No. 1) and Suzuki Motors Corporation, Japan (Complainant No. 2) as complainants and the World Information Pages, Madhya Pradesh as the respondent. The Respondent had obtained a domain name "marutisuzuki.com" which was registered with Network Solutions, USA. The complainants, who have been using the hybrid mark "Maruti Suzuki" on the products of their joint venture company, appealed to the WIPO Arbitration and Mediation Center for withdrawing the domain name "marutisuzuki.com" awarded to World Information Pages. WIPO Centre appointed a single member Administrative Panel to look into the case after verifying from NSI, USA that World Information Pages was indeed the owner of the said domain name.

Background

Maruti Udyog Ltd incorporated under the Indian Companies Act, 1956 is a joint venture of Maruti Ltd and Suzuki Motor Corporation of Japan. Both the

Complainants had filed complaints based on the trademarks and trade names 'Maruti Suzuki' and 'Maruti' and 'Suzuki' which have been used for a long time in respect of automobiles, motor cars, vans, bus bodies, automobile parts and fittings, industrial oils and greases. The trademark 'Maruti Suzuki' is being displayed prominently on all products manufactured by the Complainant No. 1 as per the license agreement between Maruti and Suzuki. The trade mark 'Maruti' and the logo of Wing device is duly registered in India and 18 other countries. The trade mark Suzuki is also registered in 90 countries.

Complainants' Contentions

The Complainants gave the following arguments in favour of their case:-

- Complainants' complaint is based on the trademark and corporate trade names, which have been in long and continuous use.
- Respondent has no rights or legitimate interests in respect of the domain name marutisuzuki.com.
- Maruti Suzuki being displayed prominently on all products manufactured by Complainant No. 1.
- Trade mark Maruti registered in 19 countries and trademark Suzuki in 90 countries. Thus, hybrid Maruti Suzuki is even more distinctive and strong mark.

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A Case Law...

- Due to long prior case, the trade mark is well known among the general public.
- The Complainant No. 1 is the registrant of various domain names containing the word 'Maruti'.
- Respondent's act amounts to passing off the business of the Complainants', thus misleading the customers.
- Adopting the domain name Maruti Suzuki, the Respondent has deliberately and intentionally created likelihood of confusion for a man of average intelligence and imperfect recollection.
- Lastly, the Respondent had contacted Mr. A.K. Bansal, Advocate, on telephone seeking an offer from the Complainant No. 1 of an amount as sponsorship/ advertising on his site, namely, www.missingindiankids.com in lieu of transfer of the domain name. The Respondent had also addressed a letter to Complainant No. 1 for sponsoring/advertising on www.missingindiankids.com.

Respondent's Contentions

Following were the Respondents replies to the complaints of Maruti and Suzuki.

- marutisuzuki.com is an established and active web site since February 1999 offering free service to the lost and found property.
- The website is being used in

the good faith for the above purpose and the domain name was not registered or acquired for the purpose of selling, renting or otherwise transferring the domain name registration to any one or to Complainants or to their competitors.

- Respondents never wished to prevent the Complainant from reflecting the mark in a corresponding domain name.
- Respondent is not a competitor of the Complainants and therefore cannot disrupt their business.
- Respondent is not making any commercial gains from the site.
- Respondent has not demanded any amount from the Complainants or any one else.
- The Complainants have never registered the trade mark Maruti Suzuki and have misled the WIPO Center by creating the impression that Maruti and Suzuki combine to form a hybrid.
- Maruti is the name of an Indian God and is appropriate for a lost and found site as nothing can be accomplished without the blessing of God.
- Allegations regarding asking for an amount over phone are fabricated, misleading and motivated.
- The website has been running over a year before the Complainants filed their complaint.

Court's Opinion

According to the Uniform

Domain Name Dispute Resolution Policy, the Complainant was required to prove that the domain name registered by the Respondent was identical or confusingly similar, that the respondent had no right or legitimate interest and that the domain name was used in bad faith.

Beyond any doubt it was clear to the Panel that the domain name registration marutisuzuki.com was identical and confusingly similar to the trademark of the Complainants. The Complainants had reproduced sufficient evidence in form of brochures, advertisements, and the sale record of 2.9 million vehicles bearing the name Maruti Suzuki.

Secondly, the respondent failed to show any justification for the use of the name marutisuzuki.com. He could have chosen any other God's name out of thousands of Gods. Therefore, he had no right or legitimate interest in choosing such a domain name. The use of this domain name by the Respondent was very clearly being made to confuse the customers and to bank upon the reputation of the Complainants.

Conclusion

The panel in the light of the arguments from both the sides decided in October 2000 that the Respondent's domain name marutisuzuki.com should be transferred to Maruti and Suzuki.

(Source : The Patent and Trade Marks Cases, Vol. XX, December 20, 2000)

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Patents for Opposition

The following patent applications have been accepted by the Patent office and published in the Gazette of India. These can now be opposed by filing opposition applications within a period of four months from the dates given. Six digit numbers allotted after acceptance by the Patent office are given before the applicant names and patent application numbers given in brackets. Names of the branches of the Patent office are denoted in the application number, e.g. 'Bom' for Bombay branch. An opposition application should be submitted at the appropriate office where the concerned application was originally filed.

PATENT APPLICANTS

A. 2 December, 2000

185161. Ringspann GmbH, Germany(1587/Cal/95)
185162. Mitsubishi Denki Kabushiki Kaisha, Japan (1315/Cal/95)
185163. Mitsubishi Denki Kabushiki Kaisha, Japan (1316/Cal/95)
185164. Daewoo Electronics Co Ltd, Republic of Korea (1324/Cal/95)
185165. Daewoo Electronics Co Ltd, Republic of Korea (1422/Cal/95)
185166. Daewoo Electronics Co Ltd, Republic of Korea (1443/Cal/95)
185167. Daewoo Electronics Co Ltd, Republic of Korea (1444/Cal/95)
185168. Belron International NV, Netherlands (1580/Cal/95)
185169. Degussa Huls Aktiengesellschaft, Germany (2182/Cal/98)
185170. Kankeka Corp, Japan (2193/Cal/98)
185171. CSIR, India(281/Del/92)

185172. The Director, Central Pulp and Paper Research Institute, India (477/Del/92)
185173. Libeltex N V, Belgium (552/Del/92)
185174. Pradeep Kumar Rohatgi, India (582/Del/92)
185175. Lexmark International Inc, USA(599/Del/92)
185176. CSIR, India(615/Del/92)

185177. Williames Hi-Tech International Pty Ltd, Australia (653/Del/92)
185178. The Procter & Gamble Co, USA(658/Del/92)
185179. The Procter & Gamble Co, USA(660/Del/92)
185180. Shriram Institute for Industrial Research, India (663/Del/92)
185181. ICI Canada Inc, Canada(382/Del/92)
185182. Rohit Khanna, India(274/Del/92)
185183. Stanadyane Automotive Corp, USA(288/Del/92)
185184. Amoco Corp, USA(323/Del/92)

INVENTION

Freewheel-retainer ring with centrifugal force takeoff.
AC generator for a vehicle.
AC generator for a vehicle.
An electric power cut-off detection unit for a monitor.
Actuated mirror array driving circuit having a DAC.
Television receiver capable of performing a self diagnosis.
An apparatus for encoding variable length codes.
Apparatus for use in releasing an architectural or vehicular windowpane.
Process for the production of a tocopherol esters.
Process for producing captopril.

An improved process for the production of 2-methylpyrazine 2-mp from ethylenediamine and propylene glycol.
A process for production of pulp from the agricultural residues.
A nonwoven material as an underlayer for a fabric covering seats.
A process for making metal matrix composites.
A process for repairing a water fast aqueous ink composition.
An improved process for production of ceramic crucibles.
Tea harvester.

A personal cleansing freezer bar and a process for manufacturing the said bar.
A sanitary napkin or patiliner having absorbent core wherein a wet laid sheet.
A process for the preparation of tetrabromobisphenol a.
A method of manufacturing low-density ammonium nitrate particles.
An improved electronic device for automatic control of water pump.
Fuel injection pump.

A process for the preparation of purified terephthalic acid containing p-toluic acid not more than 200 parts per million by weight.

International News

The Industrial Property Protection Office of Macedonia has changed its name to Bureau for Industrial Property Protection. Earlier it was under the Ministry for Development but now it is under the Ministry for Economy.

Microsoft has launched a new free service, Product Identification to help the customers avoid the dangers of illegal software. The Product Identification Team will determine whether the product is legal or not and in some cases will replace the illegal software with a genuine one.

The "Cyber Champion Award" has been presented to the Irish Prime Minister Bertie Ahern for overseeing legislative adoption of the most modern copyright and electronic signature laws in Europe. The Cyber Champion Award is presented annually to political leaders across the globe recognizing their efforts to support the growth of software. The Irish Copyright Act is anticipated to fuel current European Commission efforts to combat software piracy in the European Union. Also the Irish Government's E-Commerce Act implements the EU Electronic Signatures Directive which is designed to facilitate the development of electronic commerce by granting legal recognition to almost all electronic signatures.

No copyright law exists in Syria till date and any cases reported for copyright infringement are prosecuted under common

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185185. Imaje SA, France (381/Del/92)	Modular multijet deflection head and a process for the production of the same.
185186. Societe Dexploitation Des Procedes Marechal, France (394/Del/92)	Device for electrical connection.
185187. Synthetic Grass Maintenance Services Pty Ltd, Australia (408/Del/92)	Device for dislodging entraining and separating coarse and fine particulate matter layered on a synthetic playing surface.
185188. Imaje SA, France (447/Del/92)	An ink composition which is sprayable in jets.
185189. Exxon Chemical Patents Inc, USA (471/Del/92)	A thermoplastic composition.
185190. The Chief Controller of Research & Development, India (497/Del/92)	A process for the preparation of a composition of kill cockroaches.
185191. Stelco Inc, Canada (693/Del/92)	An apparatus for the manufacture of a mass of etched metal.
185192. CSIR, India (805/Del/92)	An improved process for the preparation of a sol useful for the preparation of crystalline zirconium oxide fibres.
185193. Ciba-Geigy Ag, Switzerland (811/Del/92)	Solid composition of polyglycidyl compounds and a process for preparation thereof.
185194. CSIR, India (2462/Del/95)	A process for the preparation of complexes of organotin compounds.
185195. Louis Jung, France (1552/Del/96)	A process of preparing at least one iodinated fatty acid or at least one iodinated fatty acid ester or iodinated derivatives thereof.
185196. Ecosmart Technologies Inc, USA (1698/Del/96)	A process for preparing a pesticidal composition.
185197. CSIR, India(2509/Del/96)	An improved process for isolation of a new highly specific 9-0 acetylated sialoglycoglycine binding lectin (achatinin - h).
185198. CSIR, India (2618/Del/96)	A process for the preparation of sodium p (12 dihydroarte-misininoxy) methyl benzoate (sodium-artelinate).
185199. CSIR, India (2965/Del/96) 9	A process for the preparation of estra 5 (10) (11) dien-3one-17 - hydroxy-17(3-methyl-1-butynyl)-cyclic-3(1 2-ethanediyl) acetal.
185200. CSIR, India (432/Del/97)	An improved process for the extraction of ephedrine hydrochloride from ephedra gerardiana.
185201. The Secretary, Department of Science & Technology, Government of India, Technology Bhavan, India (509/Del/92)	An apparatus for drawing tape filament.
185202. CSIR, India (534/Del/92)	A process for the production of purified tungsten concentrates by removal of silica and sulphur from 0.5 grade tungsten concentrates
185203. Coal Industry (Patents) Ltd, UK(537/Del/92)	Process for producing a ceramic weld composition.
185204. Sony Corp, Japan (550/Del/92)	An optical disc and a method for the manufacture thereof.
185205. Shriram Institute For Industrial Research, India (589/Del/92)	Polymeric compositions.
185206. Shriram Institute For Industrial Research, India (590/Del/92)	Polymeric composition.
185207. Shriram Institute For Industrial Research, India (591/Del/92)	Polymeric composition.
185208. Shriram Institute For Industrial Research, India (592/Del/92)	Polymeric composition.
185209. Imperial Chemical Industries Plc, UK (601/Del/92)	Process for the preparation of purified 1 11 2-tetrafluoroethane.
185210. Hartalega Industries, Malaysia(604/Del/92)	Stripping machine.

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International News

law. Recently, a Copyright Protection Draft Law has been presented to the Syrian Parliament which aims at protecting copyrights of authors of their intellectual works against various forms of infringement.

Internet Monitoring and Surveillance Service, Netdetec has been launched by IBNet plc, a UK internet expert. Netdetec scrutinizes web sites, chat rooms and bulletin boards 24 hours a day through sophisticated, multi-lingual and intelligent technology.

(Copyright World, Iss 106, Dec 2000/Jan 2001)

In order to support the industrialization of high tech research in the country, the Chinese Government has announced that a new fund will be made available in the coming year to help domestic enterprises apply for technology patents overseas.

(Patent World, Iss 128, Dec 2000/Jan 2001)

Mozambique and Belize have recently joined PCT taking the total membership of the PCT to 108.

There has been a steep increase in the number of Cyber Squatting cases being received by the WIPO Arbitration and Mediation Centre. The Centre has so far received 900 cases on domain names from complainants seeking to wrest back their internet identity from alleged Cybersquatters. Of these 350 decisions have been rendered by

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PFC on the move....

1. Four patent awareness workshops were organized in the month of December 2000. The first two were held in association with the Dept. of Science & Technology, Manipur, one at Imphal on December 5 and the second one at Chaurachandpur on December 6. The third one was held at National Institute of Design, Ahmedabad, which had a special focus on design registration.



(Workshop held at Imphal)

The fourth workshop was held at South Gujarat University, Surat on December 30. More than 350 scientists and technologists participated in the proceedings. With these, a total of 85 patent awareness workshops have been conducted by the PFC.



(Workshop held at South Gujarat University)

2. Three patent applications in India and one Patent Co-operation Treaty application were filed in the month, taking the tally of the total filings to 110.

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International News

the neutral expert panelists appointed by WIPO, with 80% of the decisions going in favour of the complainant. More than half of the complainants have been from USA.

(World Patent Information, Volume 22, No.4, 4 Dec, 2000)

The World Intellectual property Organization (WIPO) has released a compilation of over 700 intellectual property legislature texts (IPLFX) on a single CD. It contains 399 legal texts in English and 324 texts in French, including all WIPO-administered treaties in both languages. The CD is available for 300 Swiss Francs. The CD can be ordered from the WIPO Electronic bookshop (<http://www.wipo.int/ebbokshop>)

Korean Intellectual Property Organization has developed an Immediate Notification System for notifying any physical errors or obvious reasons for refusal of the patent applications as soon as they are filed on-line via the electronic systems.

(WISTA Intellectual Property, Vol.2, Iss 6, Dec 2000)

A technique for genetically altering sperm to prevent children from inheriting unwanted characteristics from their fathers has been patented by world Winton, UK's leading fertility expert. The technique involves modification of a man's germ line cells, which generate sperm, thus determining the traits passed on to his offspring.

(The Times of India, 18 Dec 2000)

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Domestic News

The Department of Biotechnology, Govt. of India has established several internationally recognized Databases in India under the National Jai Vigyan Science & Technology Mission for Genomic Research. These Databases are set up at the Indian Institute of Science (IISc), Bangalore; University of Pune; Jawaharlal Nehru University (JNU), New Delhi, and the Institute of Microbial Technology (IMTECH), Chandigarh. The Databases will be in the form of Mirror Sites, such as Genomic Databank (GDB), Protein Database (PDB), Plant Genome Database and Databases and Software hosted at European Bioinformatics Institute (EBI). The advantage of mirroring these databases from India will be to provide unhindered access to large amount of databanks for analysis of not only the primary information but also the secondary information resources. These Mirror sites will act as knowledge pathways for discoveries in modern biology and biotechnology. The following are the URLs for some of these sites which have started functioning : GDB : pranag.physics.iisc.ernet.in and EBI: bioinfo.ernet.in. The other URLs and change of URLs can be viewed at the department's

website www.nic.in/dbt.

(Biotech News, Vol. II, No 1, Nov 2000)

The Government is planning changes in the Copyrights and Trademarks Act in order to check the growing menace of counterfeiting. This was told by Shri N. K. Singh, Secretary in the PM office while speaking at an interactive session titled "Road Blocks to Implementing Reforms:Towards Solutions" organized by the Federation of Indian Chambers of Commerce & Industry (FICCI) in New Delhi. He also told that the amendment act will make counterfeiting a non-bailable offence.

(Business Standard, 18 Dec, 2000)

According to a research paper prepared by a Jaipur-based organization Consumer Unity & Trust Society (CUTS), less than five per cent of patents registered world wide belong to developing countries including India, while five industrialized countries including United States, United Kingdom, France and Germany own more than 95 per cent of foreign-owned patents registered. The research reveals no positive linkage between a strong patent regime and Foreign Direct

Investment (FDI) and technology transfer.

(Business Standard, 26 Dec 2000)

Many foreign drug companies are planning to make their mark in India after the adequate changes take place in the Indian Patents Act with regards to pharmaceuticals. The Bayer Group in India is planning to go for acquisitions of Indian pharmaceutical companies to grow in the health care sector. The company is planning to make a foray in the health sector in India but is waiting for a clear scenario to emerge with regards the likely patent changes.

(Financial Express, 9 Dec 2000)

The Delhi High Court has issued notice to Maruti Udyog Ltd (MUL) on a petition seeking to quash the order of the World Intellectual Property Organization on a dispute relating to internet domain name marutionline.com. Interim stay has also been granted to Maruti Software Pvt Ltd, an alleged cybersquatter, who appealed before the court against being evicted from the Maruti Suzuki website by the Geneva based online court. The case will come up for hearing on April 25.

Please send us questions and topics you would like to see in the coming issues

NEXT ISSUE

- **Herbs Related Patents**
- **Case Study**
- **Frequently Asked Questions**

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Department of Science and Technology (DST),

Technology Bhavan, New Mehrauli Road, New Delhi - 110 016.

Tel.: 6859581, 6863877, 6967458, 6567373 Fax: 6863866

e-mail: tifac@nda.vsnl.net.in website: www.indianpatents.org and www.tifac.org.in

Adviser: Y.S. Rajan, Executive Director, TIFAC

Editor: R. Saha, Director

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Telefax: 692 4567, 692 9593 e-mail : reliantpress@usa.net

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